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TAGS: PGOV PREL PTER PINR ASEC KDEM BL

SUBJECT: RECALL PRIMER 3 OF 3: ARE THEY IN IT TO WIN IT?

REF: A. LA PAZ 1523
1B. LA PAZ 1499
1C. LA PAZ 1419
1D. LA PAZ 1412
1E. LA PAZ 1411
1F. 07 LA PAZ 3092
1G. 07 LA PAZ 3079

Classified By: A/EcoPol Chief Brian Quigley for reasons 1.4 (b), (d)

11. (C) Summary: As both opposition and government campaigns for the August 10 recall referendum move ahead full throttle and pick up rhetorical steam, back channel signs point to doubts on both sides about the recall process. The opposition architects of the May 8 recall referendum have always contended the government privately fears the recall and an MFA insider has told us President Evo Morales' inner circle is looking for a face saving way out of the recall, after government polls concluded Morales was vulnerable. Despite recall endorsements from all but one prefect (governor), there was steady criticism during the past week concerning the recall's legal/constitutional merits and fraud in the voting rolls. The EU, OAS, and Japanese have also registered doubts over sending observers based on uncertainty about the recall's legality (despite government denials). Meanwhile, the opposition is lining up smoking guns to implicate the government in acts of terror in the run-up to the recall vote. This is part three of a three-part series examining the political landscape one month before the planned recall referendum. END SUMMARY

Heck No, EU Election Observers Won't Go

12. (C) Upon returning from a trip to Brussels July 7, opposition Senator Tito Hoz de Vila announced EU leaders told him the EU would not be sending election observers for the recall referendum. Hoz de Vila claimed EU legal experts questioned the constitutionality of the recall and that the EU did not wish to endorse a legally contested election by sending observers. Foreign Minister David Choquehuanca confirmed the EU would not send observers, but insisted this was due to scheduling reasons, not because "there exists a constitutional doubt" about the recall. Although Bolivia's EU Commission delegation publicly clarified July 8 it was not sending observers "because of technical reasons, availability

of funds, and timing," the French Ambassador told the Ambassador that legal concerns were also an issue.

¶13. (C) Despite the EU's backing of the government line on the observer-deployment issue, the issue never-the-less casted doubts on the recall's constitutionality/legality. The EU concerns emerged after a week of public criticisms concerning the recall from domestic and international legal experts, Bolivian prefects (governors) Manfred Reyes and Leopoldo Fernandez (reftel b), and civic committee leaders (reftel a).

Embassy OAS contacts tell us they are reviewing whether or not they will send observers and have asked to discuss the topic with EU representatives. Cochabamba Prefect Reyes sent the OAS a letter July 7 requesting they send no election observers. According to EcoPol's Japanese Embassy contacts, Choquehuanca has asked for Japanese observers, but the Japanese wish to discuss the prospect with us before making a decision.

Recall Damage Control

¶14. (U) Bolivian electoral officials, meanwhile, are trying assure the public the recall will be fair, legal, and constitutional following July 4 remarks from the coordinator of the identification card distribution program, Miguel Albarracin, that ID card fraud is "very possible" in Bolivia.

Albarracin blamed a card issuing system inherited from prior governments for ID fraud to explain several examples of multiple card issuances and municipal voter rolls that exceeded Bolivian census figures. Pro-government activists in Chochabamba fanned recall criticisms by targeting pro-government areas and allegedly offering food along with free IDs under the conditions that "you are in agreement with continuing the process of change led by President Evo Morales." The government ID program, co-sponsored by Venezuela, came under fierce criticism by the opposition July ¶19. The CNE asked for an Attorney General investigation into the alleged irregularities the same day. The Bolivian Electoral Court (CNE) also announced July 7 that a non-partisan technical team led by prominent former electoral officials would investigate voter rolls for fraud and present its findings July 14.

Both Sides Exude Confidence, Talking the Talk ...

¶15. (C) Both government and opposition are gearing up their campaigns for a planned August 10 recall referendum on President Evo Morales and eight of nine department prefects (state governors) spouting assurances of victory and that the other side is looking for a way out of the showdown. EcoPol opposition contacts who approved the government-drafted referendum May 8 explained the government had privately decided to stop promoting the measure in December, after they had second thoughts that the eventual recall outcome would not favor them. Despite internal opposition criticism of their tactics, these contacts maintain the move forced the government into a recall they do not want to participate in, but which they cannot get out of without appearing weak.

Ortiz Cheerleads from Afar: "Evo Will Lose"

¶16. (U) Senate President Oscar Ortiz (PODEMOS, Santa Cruz) tried to provide the unity efforts a shot in the arm from Europe, by publicly stating Morales would loose the referendum July 3. "President Morales does not represent the majority of Bolivians anymore." Ortiz said Morales, weakness might convince the government to accept a grand compromise on a new constitution that would combine government and opposition concerns.

Prefects Overcome Jitters, Mostly

¶17. (C) Although the national-level opposition has succeeded in enlisting support for the planned August 10 recall

referendum from all but one (Reyes) of the opposition-aligned prefects, regional opposition support for the recall remains grudging (reftel b). According to EcoPol contacts, in deals hashed out the last week of June, prefect support for the recall is contingent on opposition congressmen pressing for rule changes. Opposition prefects continue to publicly complain the referendum rules unfairly favor the government and opposition congressmen proposed changes to a strict 50 percent plus one formula July 2 in the Chamber of Deputies (Lower House) and July 8 in the Senate.

GOB Full Speed Ahead on Recall Express, As Is

¶18. (U) However, ruling Movement Toward Socialism (MAS) party congressmen have criticized proposed changes to the referendum and have promised the referendum will move forward as is. Vice President Alvaro Garcia Linera has repeatedly rejected the idea of modifying the recall law, adding "this is no time to look back, we have to comply with the law. On August 10 there will be a recall referendum."

Government Hails Prefect Recall Reversals ...

¶19. (U) Government and ruling Movement Toward Socialism (MAS) party leaders were quick to applaud the prefect recall endorsements. Government Minister Alfredo Rada called the prefect reversals "a triumph for democracy." Vice Minister of Social Movement Coordination Sacha Llorenti was less congratulatory, opining that all the prefects would eventually be forced to endorse the recall due to "pressure from the Bolivian people." He accused Reyes and Fernandez of "being afraid of the verdict." MAS Deputy Jorge Silva likewise stated all prefects are "obliged" to participate in the recall per instructions from "the (U.S.) empire," adding that the Ambassador had tried unsuccessfully to convince Reyes to change his position.

¶10. (C) Comment: First the government contended we were behind the CONALDE's June 23 decision to oppose the recall, based on supposed Embassy-sponsored poll showing Morales at 62 percent approval. Now we are accused of trying to talk the prefects into endorsing the recall. Apparently, government leaders see no contradiction in crediting us with mutually-exclusive "conspiracies." End Comment.

But Do They Really Want a Recall?

¶11. (C) Despite government recall fanfare, an MFA insider told us recently the bravado is a front as the government's own polling shows Morales is vulnerable at between 45 and 50 percent. Thus, even if he survives the recall, his mandate will suffer from losing ground from his 53.7 percent showing in 2005. He said the government is desperately trying to find a face-saving way to get out of the referendum, but absent that will continue gearing up their recall campaign.

Are Prefects Also Looking For A Way Out?

¶12. (C) Vice Minister Llorenti accused opposition parties and prefects of engineering a recall exit strategy by pulling one of the CNE's three members and blocking new appointments in the opposition-controlled Senate. Llorenti claimed July 8 statements from Prefect Reyes alleging one of the CNE members was disposed to step down due to legal concerns about the recall proved the opposition was trying to planning to "paralyze the referendum." The nominally five-member CNE needs a three-justice quorum to function. Our contacts in El Alto's Regional Workers Union (COR) confirm the organization is likely to surround Congress July 10 in order to prevent opposition participation in votes to fill the two vacant CNE positions.

¶13. (C) The CNE is vulnerable to manipulation from both campaigns, but we suspect the mastermind to Llorenti's

conspiracy, if there is one, would more likely be Pando Prefect Leopoldo Fernandez, not Reyes. CNE Justice Jeronimo Pinherio is a Fernandez loyalist and the only opposition-sympathetic CNE member. MAS Deputy Ana Lucia Reis (Pando) told PolOff that Fernandez would pressure Pinherio to use him as an escape hatch to any electoral process he deemed "illegal," but added she respected Pinherio and expected he would only agree to such a scenario if there were "real" legal merits to base it on. Fernandez was the last and most reluctant prefect to sign on to the recall (reftel b).

¶14. (C) Although overcome by the prefect announcements, Karen Balcazar, Director of International Relations for Santa Cruz Prefecture, told us opposition prefects had outlined a strategy to legally side-step the vote by minimizing participation during a June 30 CONALDE meeting. (Note: CONALDE is an association of prefects and civic committees from five opposition-led, pro-autonomy departments. End Note.) Although Ms. Balcazar herself stressed that this course is not written in stone and that the entire referendum process remains in flux, it calls into question the prefects' commitment to the recall.

Opposition Still Looking for Magic Bullet

¶15. (C) PODEMOS Senator Roberto Yanez (Beni) told PolOff July 9 the opposition would reveal "strong" evidence linking the government and Venezuelan Embassy with the bombing of a television station transmitter on the eve of the Tarija Department Autonomy vote June 21 (reftel e). He said this would be central to the opposition campaign, which he assured was focused on a binding August 10 outcome. Opposition organizer Javier Flores told PolOff last week the opposition was counting on two bombshells to "destroy the Morales campaign:" the bombing and evidence to be leaked by ex-Chuquisaca Prefect David Sanchez implicating Government Minister Alfredo Rada in sniper shootings of civilian protesters during November demonstrations in Sucre (reftels f and g).

Comment

¶16. (C) August 10 is only a month away, yet both public and private speculation is all over the map. Anything could happen at this point, including both or either side pulling the plug outright or canceling the recall contingent on national elections or a national dialogue (as implied by Ortiz). With no functioning Constitutional Court and an Electoral Court perceived as highly politicized and working with a bare minimum quorum, there is no adult supervision to ensure the recall's legality or legitimacy. Despite the bluster of recall rhetoric and campaign preparation on both sides, it remains unclear how enthusiastic either government or (at least regional) opposition leadership is about concluding the referendum. Both sides appear to be backsliding into campaign mode while simultaneously positioning themselves for other, less risky options.

¶17. (C) If our opposition contacts pushing the recall are right about the Evo's inner circle eyeing the exits, you couldn't tell from government bravado, efforts to assuage technical/legal recall doubts, and the printing and distribution voting material, already well underway. If they are playing a game of chicken with the opposition they are playing it with gusto. Official recall rhetoric is replete with confidence in Morales' vindication and insinuations the opposition is running scared from the people's will (especially Reyes and Fernandez). Evo's inner circle may be nervous about the outcome, but the government has painted itself into a corner with absolutist bombast and may be left no other choice but to put all their cards on the table August 10. Unfortunately that scenario ensures yet more campaign-year unfounded allegations of U.S. imperialism and conspiracy.

¶18. (C) Assuming the recall goes forward, the results remain

highly speculative; even opposition contacts admit their rosy predictions of recalling Evo depend on an "effective and unified opposition campaign." The fact that the opposition continues to look for smoking gun scandals to seal an August 10 victory belies lack of confidence. Lastly, as Prefect Fernandez alluded to by distinguishing his "political" participation in the recall from legal endorsement, the results remain vulnerable to legal challenges. All of the recall ruckus might be a red hearing in the end, as matching the 85 percent record voter participation in 2005 and reserving those results will not be easy. End Comment.

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